IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 12TH MARCH, 2007 / 21ST PHALGUNA, 1928

WA.No. 594 of 2007

(AGAINST THE JUDGEMENT DTD.24.1.2007 IN WPC.25336/2006)
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APPELLANT/2ND RESPONDENT:

A.MUJEEB, S/O.MOIDEENKUTTY,
AMBALA VAYAL HOUSE, VELLERI, CHEMRAKATOOR,
ARECODE, MALAPPURAM DISTRICT.

BY ADV. SRI.K.M.SATHYANATHA MENON
SRI.K.S.RAJESH

RESPONDENTS/RESPONDENTS:
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1. KOLATHINGAL MARIYUMMA,
W/O.POYIL MOHAMMED, AGED 37 YEARS,
PATHAYAKKODE HOUSE, THUVVAKKAD, P.O.PANNIPPARA,
PERKAMANNA VILLAGE, ERNAD TALUK,
MALAPPURAM DISTRICT.

2. THE SOUTH MALABAR GRAMIN BANK,
AREACODE BRANCH, REPRESENTED BY ITS MANAGER,
ARECODE AMSOM, ERNAT TALUK, MALAPPURAM DISTRICT.

R1 BY ADV. SRI.P.SAMSUDIN

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 12/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN,Ag.C.J & M.N.KRISHNAN,J.

W.A.NO. 594 OF 2007 - E

Dated this the 12th day of March, 2007

J U D G M E N T

Radhakrishnan, Ag.C.J.

In view of the principle laid down by the Supreme Court reported in **Balakrishnan** v. **Malaiyandi Konar** (2006 (1) KLT 926), we do not find any reason to interfere with the judgment of the learned Single Judge.

The writ appeal is dismissed.

K.S.RADHAKRISHNAN,
Acting Chief Justice

M.N.KRISHNAN,
Judge

Mbs/

K.THANKAPPAN, J

Crl.Appeal NO. OF 2001

J U D G M E N T

DATED:13-02-2007